IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

-

WRIT PETITION NO : 25138 of 2003

Between:

Yakoob Hussain Khaiser, S/o. Late Farkunda Hussain
R/o. 22-8-138/3, Chatta Bazar, Hyderabad. **..... PETITIONER**

AND

1 A.P. State Wakf Board, rep., by its Chief Executive Officer, Haj House Complex, Opp: Public Gardens, Nampally, Hyderabad.
2 The Commissioner of Prohibition and Excise,Government of Andhra Pradesh, Opp: Gandhi Bhavan, Nampally, Hyderabad.
3 The Assistant Commissioner of Prohibition and Excise, State Task Force, Narayanaguda, Hyderabad.
4 The Registrar-cum-Excise Superintendent, Prohibition and Excise [Ranga Reddy], Narayanaguda, Hyderabad.
5 Zaheer Ahmed Khan, S/o. Ghulam Ali Khan R/o. 20-7-115, Quazipura, Hyderabad.
6 Gouraiah, S/o. Sattaiah, H.No.42-5, Moula-ali, Ranga Reddy District, Hyderabad-40.
7 G. Janardhan Goud, S/o. Swamy Goud, H.No.42-5, Moula Ali, Ranga Reddy District, Hyderabad-40 **.....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Mandamus, declaring the action of the respondents 2 to 4 granting licence for toddy shop having received a letter from the Wakf Board for removal of Toddy shop/Guddamba Khana inSurvey No.422 of Malkajgiri Village, Ranga Reddy District as being illegal, arbitrary, Capricious and malafide.

Counsel for the Petitioner: MRSYED SHAREEF AHMED

Counsel for the Respondent No.2 to 4 : GP FOR PROHIBITION & EXCISE

Counsel for Respondents 1, 5,6 and 7: None appeared.

The Court made the following :

O R D E R :

It is represented by the learned counsel appearing on behalf of the respondents that having regard to the fact that the premises have been subsequently shifted to other place as evident from the licence No.277, dated 17.11.2003, the cause in this Writ Petition does not survive.

Accordingly, this Writ Petition is dismissed as infructuous. No costs.

10.09.2004

DRK

Copy to:

1 A.P. State Wakf Board, rep., by its Chief Executive Officer, Haj House Complex, Opp: Public Gardens, Nampally, Hyderabad.
2 The Commissioner of Prohibition and Excise,Government of Andhra Pradesh, Opp: Gandhi Bhavan, Nampally, Hyderabad.
3 The Assistant Commissioner of Prohibition and Excise, State Task Force, Narayanaguda, Hyderabad.
4 The Registrar-cum-Excise Superintendent, Prohibition and Excise [Ranga Reddy], Narayanaguda, Hyderabad.

5 Two CCs to the G.P. for Prohibition and Excise, High Court buildings, High Court of A.P., Hyderabad (o.u.t.)

6 Two CD copies.